

Yesterday the House Judiciary Committee met for the 10th time to consider restricting reproductive rights. The Committee marked up H.R. 2299, the Child Interstate Abortion Notification Act, which would allow the prosecution of any individual who accompanies a minor across state lines to receive abortion care and would allow the prosecution of the physician who provides the services.

Congressman Quigley offered an amendment, which was rejected by the bill's supporters but which would have exempted both those who accompany a minor to receive an abortion and the physician who provides the minor with an abortion from the penalties of the act, if the minor's pregnancy resulted from rape or incest.

Below is Congressman Quigley's statement, which he delivered in part as a speech during the Committee meeting and which was submitted in full for the record:

"Thank you Chairman Smith. I just want to remind those of you keeping track of this Congress's priorities that in the midst of this nation's worst recession, today's markup will be the 10th time this Congress the Judiciary Committee has met to consider restricting women's reproductive rights. And each time we see the same thing.

"This debate is not just a disagreement about abortion - an issue which I realize is highly emotional and charged for each side – this discussion shows a disregard for the unique and personal situation of each woman. The fact of the matter is, those of us sitting in this room on Capitol Hill cannot possibly know every special and individual circumstance faced by a woman and her family.

"You are free to disagree with abortion, but what if carrying a pregnancy to term means sacrificing your future fertility? What if carrying a pregnancy to term means choosing to forgo life-saving chemotherapy treatment? What if carrying a pregnancy to term means having a child that could not survive without the help of machines? These examples may sound extreme, but they are all very real – and impossibly difficult - circumstances that women have to

face.

"The point is this: We simply cannot make such restrictive policies that ignore the unique circumstances of each woman. But once again, that is exactly what the bill before us today does.

"We have to consider the individual circumstances faced by each woman. What if a young woman is a freshman in college and needs to seek care in the state where she is attending school rather than traveling back to her home state? What if she lives in one of the hundreds of counties that lack abortion care and the closest city with a provider is across a state line? What if a young woman lives in an abusive home and turns to her local clergyman or women for help? What if her parents aren't there for her, and she must rely on her older sister or grandmother for guidance and assistance? What if a young woman seeking abortion care has been raped or is the victim of incest? Sadly, this bill ignores the personal circumstances of young women.

"This bill includes only one exemption for the life of the mother, completely ignoring the need for an exception to protect a women's health. But it also makes no exception for women seeking abortion care who have been raped or victims of incest. My amendment would add such an exemption. My amendment would ensure women who have endured rape or incest can receive the support and care they need without fear that those accompanying them and providing the care will be prosecuted.

"The sad reality is someone in the U.S. is sexually assaulted every 2 minutes, and 44 percent of those victims are under the age of 18. Even more disturbing is that 15 percent of sexual assault and rape cases occur in children under the age of 12, and 93 percent of juvenile sexual assault cases are perpetuated by someone they know. Of those assault cases, 34 percent of attackers were family members, 59 percent were acquaintances and only 7 percent were complete strangers. These statistics only represent the sexual assaults that are reported, which some estimate is only about half of the assaults that actually occur.

"Now this is not to say that every assault or even most assaults result in pregnancy, but truth is that some do - and this bill ignores them and the young women forced to endure them. Under H.R. 2299, a young woman who is pregnant because she was raped or a victim of incest, and who is in one of the most scared and vulnerable moments in her life, may be forced to seek care all alone, without help from a friend or family member, because they fear being prosecuted

for taking her to the nearest city for care. Further, this young woman may not even be able to receive the care she needs from a doctor, because the doctor is concerned about being sued for violating the complex reporting requirements under this bill.

"It should be noted that H.R. 2299 does include a very narrow exemption from the penalties, but only for providers, not for those who accompany a minor. The exemption applies only if the minor declares in a "signed written statement that she is a victim of sexual abuse, neglect, or physical abuse by a parent, and before an abortion is performed on the minor the physicians notifies the authorities." Clearly even this narrow exemption poses serious problems, as the minor may not be willing to admit in writing to her abuse, a rape could be committed by someone other than a parent, and requiring disclosure of abuse by the physician to the authorities triggers a new cross-jurisdictional mandate on the doctor.

"My amendment merely attempts to highlight two of the many unique and difficult situations young women confront when facing an unintended pregnancy. H.R. 2299 ignores those individual situations, forcing strict and sometimes impossible requirements on all women, regardless of their situation. And for this reason, I urge my colleagues to vote no on H.R. 2299 and yes on my amendment that will protect young women who are victims of rape and incest and those who try to help them."